

# Senate File 472 - Enrolled

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1 1 SENATE FILE 472  
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1 3 AN ACT  
1 4 REQUIRING THE POSTING OF CLOSE=CLEARANCE WARNING DEVICES ALONG  
1 5 RAILROAD TRACKS AND PROVIDING A PENALTY.  
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1 7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:  
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1 9 Section 1. NEW SECTION. 327F.13 CLOSE=CLEARANCE WARNING  
1 10 DEVICES.  
1 11 1. The owner of a railroad track shall place a warning  
1 12 device at a location where the close clearance between the  
1 13 track and a building, machinery, trees, brush, or other object  
1 14 is such that the building, machinery, trees, brush, or other  
1 15 object physically impedes a person who is lawfully riding the  
1 16 side of a train in the course of the person's duties in  
1 17 service to a railroad company from clearing the building,  
1 18 machinery, trees, brush, or other object.  
1 19 2. The warning device shall be placed in a location which  
1 20 provides adequate notice to a person riding the side of a  
1 21 train so that the person may prepare for the close clearance.  
1 22 Any signs posted shall not be a danger to other persons  
1 23 working on the property.  
1 24 3. Placement of a warning device pursuant to this section  
1 25 does not relieve the owner of a railroad track from any duties  
1 26 required under chapter 317 or section 327F.27.  
1 27 4. A violation of this section is punishable as a schedule  
1 28 "one" penalty under section 327C.5.  
1 29 5. This section does not apply to a railroad that operates  
1 30 locomotives powered by overhead or suspended electric power  
1 31 lines.  
1 32 6. The department of transportation shall adopt rules to  
1 33 implement this section. Notwithstanding any other provision,  
1 34 the department of transportation shall be allowed to enter any  
1 35 property on which railroad track is located for the purpose of  
2 1 administering and enforcing this section. Entry upon any  
2 2 private property shall be with knowledge and notice to the  
2 3 property owner.  
2 4 7. This section only applies to a location where a  
2 5 close-clearance warning device is required to be placed  
2 6 pursuant to rules of the department when funds are available  
2 7 from the department to reimburse the owner of the railroad  
2 8 track for the cost of the close-clearance warning device,  
2 9 including cost of installation.  
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2 13 \_\_\_\_\_  
2 14 JOHN P. KIBBIE  
2 15 President of the Senate  
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2 17 \_\_\_\_\_  
2 18 PATRICK J. MURPHY  
2 19 Speaker of the House  
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2 21 I hereby certify that this bill originated in the Senate and  
2 22 is known as Senate File 472, Eighty=second General Assembly.  
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2 25 \_\_\_\_\_  
2 26 MICHAEL E. MARSHALL  
2 27 Secretary of the Senate  
2 28 Approved \_\_\_\_\_, 2007  
2 29  
2 30  
2 31 \_\_\_\_\_  
2 32 CHESTER J. CULVER  
2 33 Governor